

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

ELVIS DWIGHT GOODWIN,)
)
Plaintiff,)
)
v.) C/A No. 5:12-3222-RMG-KDW
)
CAROLYN W. COLVIN,)
Acting Commissioner of Social Security,)
)
Defendant.)

ORDER

Defendant, Carolyn W. Colvin, Acting Commissioner of Social Security (“Commissioner”), has moved the court pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings. ECF No. 27. The court is advised that Plaintiff, through counsel, has consented to this Motion for Remand. *See id.* The Motion to Remand, ECF No. 27, is hereby *granted*.

On order of the court, the agency’s Appeals Council will remand the case to an Administrative Law Judge (ALJ), who will give Plaintiff the opportunity to submit new evidence and the opportunity for a new hearing. The ALJ will obtain testimony from a vocational expert, reassess the opinions expressed by treating physician Dr. Lambert and explain what weight is afforded to these opinions. Further, the ALJ will consider Plaintiff’s residual functional capacity, and reevaluate plaintiff’s subjective complaints. The ALJ will then issue a new decision.

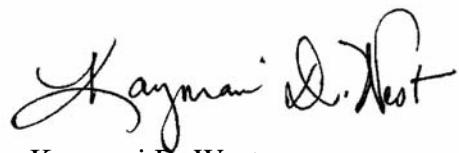
Pursuant to the power of the court to enter a judgment affirming, modifying or reversing the Commissioner’s decision with remand in Social Security actions under sentence four of 42

U.S.C. § 405(g), and in light of the request for remand of this action for further proceedings, the court hereby

REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further administrative proceedings as set out above.¹ See *Shalala v. Schaeffer*, 509 U.S. 292 (1993).

IT IS SO ORDERED.

July 2, 2013
Florence, South Carolina



Kaymani D. West
United States Magistrate Judge

¹The Clerk of Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.